IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 314 OF 2006

Shafiq Gafoor Shaikh ...Applicant.

V/s

The State of Maharashtra ...Respondent.

Ms. Pranali Kakade for the applicant.

Ms. S.N. Gagre, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 16th February, 2006

P.C.:

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the State.

2. The applicant is arrested in connection with an offence punishable under section 342, 395 of the Indian Penal Code. The applicant was arrested on 16/10/2005 and the charge-sheet has been filed.

3. It is submitted by the learned Counsel appearing on behalf of the applicant that it is stated in the complaint that six unknown persons had entered the factory premises and had stolen the spare parts worth about Rs 32,000/-. The tempo in which the said spare parts were stolen was owned by the applicant. The tempo was recovered.

4. The learned APP appearing on behalf of the State submits that the applicant is a history sheeter and there are six cases pending against him. In this case, though the charge-sheet has been filed, looking at the past antecedent of the applicant, it is not a fit case for grant of bail. The application for bail is rejected. Liberty, however, is granted to the applicant to apply again if the trial is not over within a reasonable period of time.

5. Application is accordingly disposed of.

V.M. KANADE, J.